



INDUSTRY CIRCULAR

DEPARTMENT OF
THE TREASURY

Bureau of Alcohol, Tobacco and Firearms
Washington, D. C. 20226

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EXEMPTION FROM MANDATORY AGE STATEMENTS FOR GRAPPA BRANDY (27 C.F.R. 5.40(b))

Distilled Spirits Plant Proprietors, Importers and Others
Concerned:

Purpose. The purpose of this circular is to advise industry members of a forthcoming ATF ruling relating to an exemption from mandatory label references to age for grappa brandy (27 C.F.R. 5.40(b)). The pertinent portions of the ruling read substantially as follows:

The Bureau of Alcohol, Tobacco and Firearms (ATF) has been asked whether grappa brandy is exempt from any mandatory label references to age in accordance with the provisions of § 5.40(b). Section 5.40(b) exempts from the statement of age requirement immature brandy and fruit brandy not customarily stored in oak containers.

Background. Under current regulations "grappa" (or "grappa brandy") is a type of brandy produced by distilling the grape skins and pulp that remain after the juice or wine has been pressed out. Section 5.40(b) requires that an appropriate age statement must appear on the brand label of brandy not stored in oak containers for a period of at least 2 years. Section 5.40(b) also provides for an exemption from any mandatory label references to age for certain types of brandy including, "fruit brandies which are not customarily stored in oak containers." ATF has been asked whether grappa falls within this exemption.

ATF's research on the subject of grappa, including information provided in technical books and an examination of numerous hearing transcripts on proposed regulations dating back to 1940, indicates that this type of brandy is usually unaged and is most often bottled directly after distillation. Although sometimes stored in paraffin lined barrels or other kinds of containers which preclude contact of the spirits with the wood surface, grappa is not customarily stored in oak containers and, as such, should be exempt from any mandatory label references to

age. As grappa is not so customarily stored, this ruling encompasses all grappas, including those which do happen to be stored in oak containers for a period of less than 2 years.

Finally, ATF's National Laboratory, has determined that grappa is fruit brandy that is not customarily stored in oak containers. As such, the statement of age requirement set forth in section 5.40(b) is optional. If grappa producers wish to delete the age statement from grappa labels, they will not need to obtain a new certificate of label approval from ATF. This also applies to grappa labels bearing a statement indicating that the product has not been aged.

Held, "grappa" (or "grappa brandy") is exempt from any mandatory label references to age in accordance with the provisions of 27 C.F.R. 5.40(b), as it is a fruit brandy not customarily stored in oak containers.

Inquiries. Inquiries concerning this circular should refer to its number and be addressed to: Chief, Industry Compliance Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW, Washington, DC 20226.


Acting
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